



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, New York 10278*

March 23, 2024

**BY ECF**

The Honorable Alvin K. Hellerstein  
United States District Judge  
Southern District of New York  
United States District Courthouse  
500 Pearl Street, Room 1050  
New York, New York 10007

Re: *United States v. David Smothermon*, 19 Cr. 382 (AKH)

Dear Judge Hellerstein:

Yesterday, at the request of the parties, the Court adjourned the March 26, 2024 conference to May 16, 2024. (ECF No. 93). With consent from defense counsel, the Government respectfully moves for the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from March 26, 2024 until May 16, 2024. A proposed order is attached for the Court's consideration.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/Rushmi Bhaskaran  
Katherine C. Reilly  
Rushmi Bhaskaran  
Assistant United States Attorney  
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cc: Terry Yates, Esq. and George Murphy, Esq. (by ECF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
UNITED STATES OF AMERICA,

Plaintiff,

- against -

DAVID SMOTHERMON,

Defendant.  
----- X


ORDER

19 Cr. 382 (AKH)

On March 22, 2024, the Court adjourned the pretrial conference in this matter from March 26, 2024 to May 16, 2024.

Upon the application of the United States of America, by and through AUSA Rushmi Bhaskaran, and with the consent of David Smothermon, by and through George Murphy, Esq. and Terry Yates, Esq., the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial, because it will permit the defendant and his counsel to review discovery materials, determine whether the defendant wishes to make motions, and prepare for trial. Accordingly, it is ORDERED that the time between March 26, 2024 and May 16, 2024 is hereby excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), in the interests of justice.

Dated: New York, New York  
March 22, 2024

  
HONORABLE ALVIN K. HELLERSTEIN  
UNITED STATES DISTRICT JUDGE